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UNCLAS SECTION 01 OF 02 BRASILIA 000625

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SUBJECT: CHILD LABOR IN BRAZIL - ADDITIONAL COMMENT ON DOL  
DRAFT LIST FOR TVPRA

REF: A. STATE 3075  
[1](#)B. BRASIIA 124  
[1](#)C. BRASILIA 331

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[1](#)1. (SBU) Summary. The International Labor Organization (ILO) office in Brasilia (protect) told poloffs on May 7 week that the profile of child labor in Brazil has shifted in recent years and is now predominantly an urban phenomenon. The ILO child labor expert stressed that Brazilian authorities have eradicated child labor from export crops grown on large plantations, such as corn, coffee and others. The situation has improved so much that ILO Brazil focuses its efforts on the worst forms of child labor and expects that by 2011 Brazil will have eliminated child labor. End summary.

[1](#)2. (SBU) Renato Mendes (strictly protect), chief technical adviser for Brazil in the International Program on the Elimination of Child Labor (IPEC), told poloffs that child labor has been almost entirely eliminated from large export crops such as corn, soybeans, and coffee because of close controls all along the production chain. He said the same is true for talcum and bananas. He said child labor has been eliminated from the sugar cane industry except for occasional cases of underage boys who look over 18 and use that to voluntarily seek employment in that industry. Mendes spoke on condition that the USG not publicly cite him or the ILO in reference to child labor in Brazil (except for publications). According to Mendes, the turning point in the fight against child labor in Brazil, which resulted in the elimination of child labor in large export crops, came from a trade dispute in the 1990s over child labor in the Brazilian citrus fruit and footwear industries. Those were the first industries to be purged of child labor, and others followed. Moreover, the increasing mechanization of the planting, cultivation, and harvesting of crops such as soybeans and corn has contributed to the elimination of child labor in their production, Mendes said.

[1](#)3. (SBU) Because the situation has changed, data as recent as even five years ago may not be valid, Mendes said. In response to poloff's question about the ILO's 2004 study by Ana Lucia Kassouf that DOL has cited to support a child labor finding with regard to several specific products, Mendes said Kassouf's findings no longer reflect the current situation. He said the best currently available data on child labor in specific crops are the microdata available only on the 2007 PNAD CD-ROM. (Note: This may be purchased directly from the Instituto Brasileiro de Geografia e Estatistica (IBGE). End note.)

[1](#)4. (SBU) Mendes differentiated between plantation cultivation of soybeans, corn, coffee, sisal, pineapples, and

others, where child labor has been eliminated, and subsistence level, family-based agriculture where child labor exists as a part of the family economy. Mendes explained that Brazilian agricultural production should be understood in three groupings: a) large-scale export crops, b) the informal sector for family subsistence, and c) the formal sector using salaried workers to produce crops for the internal Brazilian market. Child labor has been eradicated from the first group, large-scale export farming. In the subsistence sector, Mendes said, the ILO's view is that child labor in family subsistence agriculture is not a significant problem since children work only part time as part of their chores and the work relationship is different from the commercial sector. Children have no supervisor but work alongside parents and siblings. Mendes also pointed out that the inviolability of the family is protected by the Brazilian Constitution, which legally exempts family work units from inspection by Ministry of Labor officials or public labor prosecutors. Finally, in the formal sector that produces for the internal Brazilian market, the situation depends on the product. Child labor is found in the production of manioc and bricks, for example, but only in isolated instances in the production of tin and gold.

¶5. (SBU) With regard to talc, a non-agricultural product, Mendes noted that the problem denounced by CUT, a Brazilian labor confederation, in 2006 in Ouro Preto involved fewer than 50 children, and was completely resolved when DGB, the Federation of German Trade Unions "forced an agreement" on the two German firms implicated, Bosch and Faber Castell, which caused them to stop purchasing the talc. Afterwards, Brazilian social services helped to correct the underlying

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situation that led to child labor in that case. Mendes stated that as far as ILO knows, there is now no child labor in talc production in Brazil, including in Ouro Preto.

¶6. (SBU) On bananas, Mendes said the Agriculture Ministry closely monitors the production of bananas, including checks for child labor. He added that the Brazilian banana does not lend itself well to child labor since the plants are too tall for children to harvest the fruit, unlike the shorter banana plants of Ecuador and elsewhere. He noted that he could not state that child labor was or was not involved in production for the internal market.

¶7. (SBU) Mendes said the situation is improving at such a rate that the ILO expects Brazil will have eradicated child labor in both rural and urban settings by 2011.

¶8. (SBU) Comment. A determination by DOL that child labor is still used in crops for which the ILO's expert in Brazil states that it has been eliminated leaves the USG vulnerable to accusations of protectionism. In the worst case scenario it could result in a WTO case. It is critical that our list of products for the Trafficking Victims Protection Reauthorization Act (TVPR) accurately reflect the current situation in Brazil. Rather than depend on anecdotes, occasional press reports, or outdated statistics to draw broad conclusions, Mission urges DOL to use only recent data, such as the 2007 PNAD, in combination with the assessments of the ILO and other expert sources that accurately reflect the current status of child labor or lack thereof in various industrial and agricultural sectors.

KUBISKE